

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Gary Shimun, Town Administrator, 954-797-1035

PREPARED BY: Braulio Rosa, Public Information Officer, 954-797-1027

SUBJECT: Retention Letters for Airport Consultants

AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RETENTION LETTERS FOR THE AIRPORT CONSULTANTS

REPORT IN BRIEF: At the July 18, 2007, Town Council Meeting, our consultants, Richard Richards, from Stearns Weaver, and Amy Kimball Murley, from Four Gates, made a presentation/proposal to the Town Council relative to the upcoming steps that can be taken to contend with the airport expansion. The consultants broke up the process into 3 steps. The Town Council approved step one.

PREVIOUS ACTIONS: Town Council engaged Stearns Weaver and Four Gates to respond to the Draft Environmental Impact Statement on behalf of the Town of Davie

CONCURRENCES: The Town attorney has reviewed and has approved the letters of retention.

FISCAL IMPACT: Yes

Has request been budgeted? Yes

If yes, expected cost: \$117,335

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

001-1810-514-3102

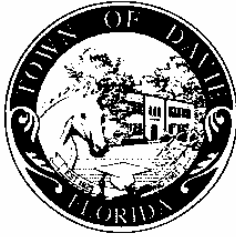
Additional Comments:

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Retention Letters

Consultant's Proposal



OFFICE OF PUBLIC INFORMATION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1027 • FAX: 954.797.2061 • WWW.DAVIE-FL.GOV

September 26, 2007

Charles Salter Associates
130 Sutter Street, Fifth Floor
San Francisco, CA 94104-4034
1-800-257-7706

Re: Town of Davie - Fort Lauderdale Airport Expansion

Dear Mr. Freytag:

This confirms the retention of your firm to represent the Town of Davie (the "Town") in accordance with the Part 1 timeframe as outlined in the letter from Stearns Weaver to the Town dated July 11, 2007. As such, your firm shall be paid on an hourly basis of (See Attached). Further, your firm has agreed to a not to exceed amount of \$40,345 for time and materials in this timeframe. Lastly, the Town may terminate your services at any time prior to end of the timeframe by giving you written notice. In the event of early termination, the Town will only be responsible for time and materials up and until the date of termination (unless, of course, such time and materials surpass your firm's not to exceed amount).

Please confirm by signing below and we look forward to your representation of the Town.

Very truly yours,

A handwritten signature in cursive script that reads "Gary Shimun".

Gary Shimun
Town Administrator

Agreed To and Accepted:

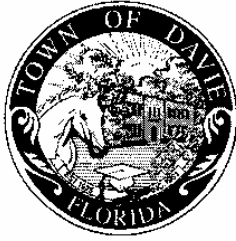
Name of Firm Charles Salter Associates

By: [Signature]

Name: Randy Waldeck

Title: Senior Consultant

Date: 27 September 2007



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September 26, 2007

Stearns Weaver Miller, Weissler Alhadeff & Sitterson, P.A.
Museum Tower, Ste 2200
150 West Flagler Street
Miami, Florida 33130
305-789-3200

Re: Town of Davie - Fort Lauderdale Airport Expansion

Dear Mr. Richards:

This confirms the retention of your firm to represent the Town of Davie (the "Town") in accordance with the Part 1 timeframe as outlined in the letter from Stearns Weaver to the Town dated July 11, 2007. As such, your firm shall be paid on an hourly basis of \$250. Further, your firm has agreed to a not to exceed amount of \$32,500 for time and materials in this timeframe. Lastly, the Town may terminate your services at any time prior to end of the timeframe by giving you written notice. In the event of early termination, the Town will only be responsible for time and materials up and until the date of termination (unless, of course, such time and materials surpass your firm's not to exceed amount).

Please confirm by signing below and we look forward to your representation of the Town.

Very truly yours,

Gary Shimun
Town Administrator

Agreed To and Accepted:

Name of Firm

By:

Name:

Title:

Date:

John R. Stearns, Jr.
Shareholder
10/26/07



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September 26, 2007

RECEIVED
OCT - 1 2007

Terramar Environmental Services
1241 Crane Boulevard
Sugarloaf Key, Florida 33042
305-393-4200

Re: Town of Davie - Fort Lauderdale Airport Expansion

Dear Mr. Frank:

This confirms the retention of your firm to represent the Town of Davie (the "Town") in accordance with the Part 1 timeframe as outlined in the letter from Stearns Weaver to the Town dated July 11, 2007. As such, your firm shall be paid on an hourly basis of \$125. Further, your firm has agreed to a not to exceed amount of \$7,500 for time and materials in this timeframe. Lastly, the Town may terminate your services at any time prior to end of the timeframe by giving you written notice. In the event of early termination, the Town will only be responsible for time and materials up and until the date of termination (unless, of course, such time and materials surpass your firm's not to exceed amount).

Please confirm by signing below and we look forward to your representation of the Town.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Gary Shimun".

Gary Shimun
Town Administrator

Agreed To and Accepted:

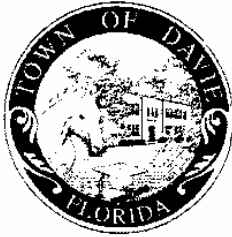
Name of Firm

By: A handwritten signature in cursive script, appearing to read "Philip D. Frank".

Name: Philip D. Frank

Title: President, Terramar Env. Sols., Inc.

Date: September 26, 2007



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PHONE: 954.797.1027 • FAX: 954.797.2061 • WWW.DAVIE-FL.GOV

September 26, 2007

RECON Environmental, Inc.
1927 Fifth Avenue
San Diego, CA 92101
619-308-9333

Re: Town of Davie - Fort Lauderdale Airport Expansion

Dear Mr. Bull:

This confirms the retention of your firm to represent the Town of Davie (the "Town") in accordance with the Part 1 timeframe as outlined in the letter from Stearns Weaver to the Town dated July 11, 2007. As such, your firm shall be paid on an hourly basis according to your letter dated September 26, 2007 (see attached). Further, your firm has agreed to a not to exceed amount of \$6,000 for time and materials in this timeframe. Lastly, the Town may terminate your services at any time prior to end of the timeframe by giving you written notice. In the event of early termination, the Town will only be responsible for time and materials up and until the date of termination (unless, of course, such time and materials surpass your firm's not to exceed amount).

Please confirm by signing below and we look forward to your representation of the Town.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary Shimun", is written over the printed name.

Gary Shimun
Town Administrator

Agreed To and Accepted:

Name of Firm: RECON Environmental, Inc

By: A handwritten signature in black ink, appearing to read "Charles S. Bull", is written over the printed name.

Name: Charles S. Bull

Title: President

Date: 9/26/2007



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PHONE: 954.797.1027 • FAX: 954.797.2061 • WWW.DAVIE-FL.GOV

September 26, 2007

Four Gates
1890 SW 21 Street
Miami, Florida 33145
305-285-2336

Re: Town of Davie - Fort Lauderdale Airport Expansion

Dear Ms. Kimball-Murley:

This confirms the retention of your firm to represent the Town of Davie (the "Town") in accordance with the Part 1 timeframe as outlined in the letter from Stearns Weaver to the Town dated July 11, 2007. As such, your firm shall be paid on an hourly basis of \$150 for the principal and \$55 for planning assistants. Further, your firm has agreed to a not to exceed amount of \$30,990 for time and materials in this timeframe. Lastly, the Town may terminate your services at any time prior to end of the timeframe by giving you written notice. In the event of early termination, the Town will only be responsible for time and materials up and until the date of termination (unless, of course, such time and materials surpass your firm's not to exceed amount).

Please confirm by signing below and we look forward to your representation of the Town.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Gary Shimun".

Gary Shimun
Town Administrator

Agreed To and Accepted:

Name of Firm

By: A handwritten signature in cursive script, appearing to read "Amy Kimball-Murley".

Name: Amy Kimball-Murley

Title: President

Date: September 26, 2007

**STEARNS WEAVER MILLER
WESSLER ALHADEFF & SITTERSON, P.A.**

Miami ■ Ft. Lauderdale ■ Tampa

Richard L. Richards
Direct Line: (305) 789-4104
Fax: (305) 789-3395
Email: rrichards@swmwas.com

Museum Tower, Suite 2200
150 West Flagler Street
Miami, Florida 33130
305-789-3200

July 11, 2007

Via E-mail Delivery & U.S. Mail

Mr. Tom Truex, Mayor
Mr. Bryan Caletka, Vice Mayor
Mr. Michael Crowley, Councilmember
Mrs. Susan Starkey, Councilmember
Mr. Marlon Luis, Councilmember
c/o Mr. Gary Shimun, Town Administrator
Town of Davie
6591 Orange Drive
Davie, Florida 33314

***Re: Town of Davie – Federal Aviation Administration (“FAA”) - Environmental
Impacts of the Expansion of Fort Lauderdale/Hollywood International Airport***

Dear Town Council,

The firm of Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A. (“Stearns Weaver Miller”) is pleased to present this proposal for services related to the proposed expansion of the Fort Lauderdale/Hollywood International Airport (“Airport” or “Airport Expansion”).

The proposal is divided into three distinct phases because we understand that the Town must balance its financial investment with the achievement of specific objectives. Therefore, each phase is intended to focus the Town’s resources to maximize its ability to impact the FAA’s and Broward County’s decision making process with respect to the Airport Expansion; while at the same time laying the foundation for future legal action against one or both should the Town determine that such action is necessary. Furthermore, the Town is provided with the opportunity, at specific points in time, to review, consider and determine whether or not it desires to continue to oppose the Airport Expansion.

Background: On behalf of the Town, Stearns Weaver Miller, with the assistance of The Four Gates Company and Charles Salter Associates, prepared comments to the FAA’s Draft Environmental Impact Statement (“DEIS”). This DEIS was prepared by the FAA in support of the proposed expansion of the Ft. Lauderdale/Hollywood International Airport (“Airport”). In addition, we appeared before the Broward County Commission to voice the Town’s opposition to the DEIS and the corresponding Airport expansion. Notwithstanding our efforts, and the efforts of others, the Broward County Commission elected to proceed with proposed Airport expansion (alternative B1c of the DEIS). This alternative provides for the lengthening of

Runway 9R/27L ("South Runway") to 8,000 feet and elevating it over the Florida East Coast Railway line and U.S. 1. This expansion of the South Runway is the most costly of the alternatives (excluding the "no action" alternative preferred by the Town), and will have the greatest negative impact upon nearby residents and the environment.

Based upon our prior work on behalf of the Town we understand the most important issue in regard to the Airport Expansion is the negative impacts (particularly noise impacts) it will have on the quality of life of the Town's residents and businesses. We believe these impacts, along with the issue of wetlands and noise mitigation, are the areas most vulnerable to potential legal challenge. In order to address these specific areas, our firm will be assisted by experts in airport operations, noise, land use and environmental justice, wetlands/ecology, and air quality. Our core team of The Four Gates Company and Charles Salter Associates will remain in place, with supplemental assistance from two new experts (Terramar Environmental Services, Inc. and RECON Environmental, Inc.) chosen for their experience in specific areas we believe are particularly weak in the DEIS documentation ("Team").

Scope of Work: Stearns Weaver Miller, with the assistance of the Team, is prepared to continue to represent the Town in its efforts to ensure that the FAA prepares a legally compliant Final Environmental Impact Statement ("FEIS") that properly documents the negative impacts and true cost of the proposed Airport Expansion; as well as opposing the expansion itself in accordance with the following proposal:¹

Part 1

Time Frame: Present day up to issuance of the FEIS by the FAA.

Objective: Focus on key areas of the proposed Airport Expansion, including noise and air quality impacts, as well as mitigation assessment and mitigation costs. In addition, specific ecological impacts will be further reviewed. This phase of work will provide a strong technical basis for future comments as well as put an estimated cost to mitigate the noise impacts in the Town – an achievement which we believe creates a powerful tool for discussion of the project with those County Commissioners that support the Airport Expansion.

Scope of Services: Substantive review analysis of the Part 150 noise study currently being prepared by Broward County and file comments and objections as appropriate; further analysis of DEIS, including models/technical analysis by expert consultants; review of the cumulative environmental impacts of other projects at the Airport, or associated with the Airport expansion (e.g., impact of new Airport terminal(s), Port Everglades expansion, etc.) on air quality, children, affordable housing, minorities, water quality, endangered species, etc.); requests for documents from government agencies (including Freedom of Information Act requests); and general

^{1/} Terramar Environmental Services, Inc. will be retained to specifically focus on wetland impacts, and RECON Environmental, Inc. will be retained to specifically focus on air quality impacts.

monitoring of process from an environmental, procedural (FAA compliance with its own regulations), and legal perspective.

*Cost:*² Stearns Weaver Miller – \$32,500.00 (130 hours at \$250 an hour).
The Four Gates Company – \$30,990.00 (see attachment).
Charles Salter Associates – \$40,345.00 (see attachment).
Terramar Environmental Services, Inc. – \$7,500.00 (see attachment).
RECON Environmental, Inc. – \$6,000.00 (see attachment).

Total Cost for Part 1: \$117,335.00

Part 2

Time Frame: Issuance of FEIS up to issuance of Record of Decision by the FAA (“ROD”).

Objective: Establish a record of comments for those areas not adequately addressed by the FEIS. This is a critical comment period for establishing standing for future actions, and for determining if other actions or interventions are warranted. For example, if project mitigation is not properly defined in the FEIS it could have serious negative future impacts on the Town.

Scope of Services: Substantive review and analysis of the FEIS, including identification of legal and procedural deficiencies; technical review/analysis of final models used by FAA; monitor FAA actions with respect to the ROD, continue to review materials from FAA and other agencies related to the Airport expansion; and general coordination/monitoring of consultants.

Cost: Stearns Weaver Miller - \$35,000.00 (140 hours at \$250 an hour).
The Four Gates Company - \$11,840.00 (see attachment).
Charles Salter Associates - \$44,230.00 (see attachment).
Terramar Environmental Services, Inc. - \$5,000.00 (see attachment).
RECON Environmental, Inc. - \$4,000.00 (see attachment).

Total Cost for Part 2: \$95,570.00

Part 3

Time Frame: Issuance of ROD up to final draft of Complaint.

Objective: Review and provide comments to the ROD. This is expected to be the final technical step preceding litigation relating to the FEIS.

^{2/} All cost figures are “not to exceed” amounts.

Scope of Services: Substantive review and analysis of ROD, including identification of legal and procedural deficiencies; final review and analysis of FEIS in light of ROD for legal and procedural deficiencies; and preparation of Complaint against the FAA in "final" form for Town Council approval.

Cost: Stearns Miller Weaver – \$67,500.00 (270 hours at \$250 an hour).
The Four Gates Company - \$17,320.00 (see attachment).
Charles Salter Associates - \$48,450.00 (see attachment).
Terramar Environmental Services, Inc. - \$5,000.00 (see attachment).
RECON Environmental, Inc. – Not Applicable.

Total Cost for Part 3: \$138,270.00

Total Cost

Stearns Weaver Miller - \$135,000.00
The Four Gates Company - \$60,150.00
Charles Salter Associates - \$133,025.00
Terramar Environmental Services, Inc. - \$17,500.00
RECON Environmental, Inc. - \$10,000.00

Grand Total of Fees: \$351,175.00

Our firm, and the expert consultants, are sensitive to the fact that the Town has certain budgetary constraints that it operates under, and therefore, we have structured the proposal in a manner that provides the Town with the ability and flexibility to terminate the representation at any time (if the Town elects to do so). Furthermore, we estimate that the above time frames cover a three year period, although they may be shortened depending on when the FEIS and ROD are issued by the FAA. Finally, to the extent that there may be a need for additional expert consultants, we will obtain the Town Council's approval before engaging such experts.

Town of Davie
July 11, 2007
Page 5

We are honored that the Town of Davie has selected our firms, and we look forward to working with the Town Council and Town Staff in this matter. Please do not hesitate to give us a call if anything further is needed in this regard.

Respectfully submitted,



Richard L. Richards

cc: Mr. Braulio Rosa, Town Public Information Officer
James A. Cherof, Esq., Town Attorney
Kerry L. Ezrol, Esq., Assistant Town Attorney
John Herin, Esq., Stearns Weaver Miller et al.

RLR/tc
Attachments



TO REORDER CALL 954-546-9399



FOUR GATES
THE FOUR GATES COMPANY

1890 SW 21 Street, Miami FL 33145
phone 305.285.2336
www.fourgatesco.com

June 19, 2007

Mr. Richard L. Richards, Esquire
Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.
150 West Flagler Street, Suite 2200
Miami, Florida 33130

**RE: FLL Airport Expansion – Town of Davie
Proposal for Additional Land Use Planning Services**

Dear Mr. Richards:

The Four Gates Company is pleased to present this proposal for additional services related to representing the Town of Davie in respect to the proposed Fort Lauderdale-Hollywood International Airport expansion. This proposal addresses continued review of the Environmental Impact Statement (EIS), in its draft and final forms; review of the Part 150 study; preparation of mitigation estimates in coordination with Town staff; review of related applications and documents; coordination with Town staff and team members; coordination with other agencies through the State Clearinghouse to generate support for Town concerns; and, attendance at meetings and hearings.

The scope of work addressed in this proposal is supplied in three phases:

1. Work Leading to the Issuance of the Final EIS
2. Work Relating to the Final EIS
3. Work Relating to the Record of Decision

Because information from the FAA and Broward County is not available regarding the schedule for meetings, document issuance and related activities, it is difficult to fully anticipate related timeframes and costs. In addition, this scope assumes that given the more relaxed timeframes in this phase of work (our earlier work was under extremely tight timeframes) that Town staff will be more fully engaged and that portions of the work, particularly in mitigation impact estimates, can be conducted with Town assistance in order to minimize costs. Proposed work will address the following issues and areas in the DEIS: definition of the study area; land use (including impacts on plans and policies, public properties and open space); environmental justice; impact mitigation; and environmental (as it pertains to procedural or strategic approaches). Each major task and estimated costs associated with each task are described below:

Task 1: Work Leading to the Issuance of the Final EIS

- Complete an in-depth review of the DEIS in light of potential litigation, with special attention towards identifying potential NEPA and FAA rule challenges, including an outline of issues, comments, and strategies. This review will serve to further elaborate upon prior comments, as well as devise additional comments which may further support the Town's concerns. This work product may include review of public records not available during the initial analysis.
- Review all comment letters submitted on the DEIS and compile a list identifying areas where issues may overlap or support the Town of Davie position.
- Review the draft and final Part 150 study, with particular attention to assessments of impacts and proposed mitigation for impacts.
- Coordinate with the Florida State Clearinghouse and commenting agencies to ensure that they are aware of potential consistency issues identified by the Town of Davie team.
- Prepare an approach to Part 150 mitigation in coordination with Town staff, and submit as a formal letter or comment through the 150 Study. Our approach is expected to demand complete replacement of any impacted housing as intact neighborhoods, at set levels of affordability, with the Town. This task assumes that the Town's staff will be actively involved in any unit counts and will assist in an approach to replacement of impacted units.
- Attend a round table meeting with the consulting team and City staff to discuss the existing comments and strategize on approach. This includes sites visits to areas not already documented in the prior work efforts.
- Attend two meetings at the Town, one Part 150 meeting, and one additional meeting (most likely on Port Everglades).
- **Estimated Cost: \$30,990**

Task 2: Work Relating to the Final EIS

- In-depth review of the FEIS, including preparation of comments.
- Development strategy for other regulatory approaches and interventions, including Section 404 Permit (USACE).
- Attendance at one hearing and one meeting at the Town.
- **Estimated Cost: \$11,840**

Task 3: Work Relating to the Record of Decision


- In-depth review of the ROD, including preparation of comments in anticipation of litigation.
- Attendance at one Town meeting.
- **Estimated Cost: \$17,320**

June 19, 2007
Page 3

The Four Gates Company will work on a time-and-material basis with a not-to-exceed total of \$60,150. Our rates are \$150 per hour for the principal and \$55 for planning assistants.

Thank you for considering us on this important project.

Sincerely,


Amy Kimball-Murley, AICP
President

Copy: John Herin, Stearns Weaver
File

Exhibit B



TO REORDER CALL 954-846-9399

From: "Jack Freytag" <jack.freytag@cmsalter.com>
To: "Richard Richards" <RRichards@swmwas.com>
Date: 6/19/2007 7:03:19 PM
Subject: RE: Town of Davie - FAA Comments to DEIS

Hello Richard:

Randy, Dennis and I have been putting our heads together to develop draft budgets and workscopes for the EIS and Part 150 program work in the three time periods, as you have requested. This is difficult because 1) we do not know the schedule for this work (these projects notoriously overrun, missing most deadlines to address all comments from everyone), 2) we do not know the extent of the analyses that may be required in the future, and 3) we do not know the extent of our face-to-face involvement (if any).

We plan to address all issues throughout the Part 150, identify issues and submit recommendations to you. These recommendations and resultant impacts often require modifying the input files to the INM (noise modeling program) and generating new contours. This may be fairly easy (e.g., for changes in traffic volume) or more difficult if we must generate new flight tracks.

At this time we have not budgeted any travel and assume that you will be the sole representative of our work. Travel time and expenses seem to add quite quickly at this distance.

So, the attached spreadsheet breaks things out for a reasonable level of support from home, without travel, annually for the next three years. We hope and expect that much of the Part 150 and EIS issues will be the same, and that you may just submit our work in a different form.

Please feel free to get back to me on this. I check my voicemail fairly often and will return your call from our trip here in Michigan.

Always a pleasure to work with you.

Jack.

John C. Freytag
P.E., INCE Bd. Cert., Director
Charles Salter Associates
130 Sutter Street, Fifth Floor
San Francisco, CA 94104-4034
TEL: 1.800.257.7706 X230
FAX: 1.415.397.0454
email: jack.freytag@cmsalter.com

CC: "Randy D. Waldeck" <randy.waldeck@cmsalter.com>, <DHughes941@aol.com>

	TASK DESCRIPTION			Director (DCF)		Senior Consultant (RDW)		ATC Spec		ATC Technical		Technical (CSA)		Total	
	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Hours	Fee	Hours	\$
1	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	15	\$ 175	\$ 2,625	5	\$ 150	4	\$ 60	38	\$ 6,155
2	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	15	\$ 175	\$ 2,625	5	\$ 150	4	\$ 60	38	\$ 6,155
3	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
4	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
5	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
6	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
7	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
8	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
9	6	\$ 220	\$ 1,320	8	\$ 140	\$ 1,120	6	\$ 175	\$ 1,050	5	\$ 150	4	\$ 60	38	\$ 6,155
Totals	54	\$ 220	\$ 11,880	72	\$ 140	\$ 10,080	87	\$ 175	\$ 15,225	24	\$ 150	36	\$ 5,400	253	\$ 40,345

TASK DESCRIPTION	Director (CJF)			Senior Consultant (RDW)			ATC Spec.			ATC Technical			Technical (CSA)			Total
	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Fee	Hours	\$ / hr.	Fee	
1 Review DEIS / Review comments / Prep	6	\$ 240	\$ 1,440	8	\$ 155	\$ 1,240	15	\$ 190	\$ 2,850	4	\$ 165	\$ 665	4	\$ 95	\$ 380	\$ 6,735
2 Review PART 150 / Review comments / Prep	6	\$ 240	\$ 1,440	8	\$ 155	\$ 1,240	15	\$ 190	\$ 2,850	5	\$ 165	\$ 825	4	\$ 95	\$ 380	\$ 6,735
3 Review the light track / plot information / contours	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	15	\$ 190	\$ 2,850	5	\$ 165	\$ 825	4	\$ 95	\$ 380	\$ 4,265
4 Review the aircraft type information	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	5	\$ 190	\$ 950	4	\$ 165	\$ 660	4	\$ 95	\$ 380	\$ 4,010
5 Review aircraft schedule information	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	4	\$ 190	\$ 760	2	\$ 165	\$ 330	4	\$ 95	\$ 380	\$ 4,150
6 Review the traffic volume forecasts	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	4	\$ 190	\$ 760	2	\$ 165	\$ 330	4	\$ 95	\$ 380	\$ 4,150
7 Review the flight altitudes / Alternatives	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	4	\$ 190	\$ 760	4	\$ 165	\$ 660	4	\$ 95	\$ 380	\$ 4,560
8 Edit / compile information	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	5	\$ 190	\$ 950	4	\$ 165	\$ 660	4	\$ 95	\$ 380	\$ 4,560
9 Prepare report	6	\$ 240	\$ 1,440	6	\$ 155	\$ 930	5	\$ 190	\$ 950	4	\$ 165	\$ 660	4	\$ 95	\$ 380	\$ 4,560
Totals	54	\$ 240	\$ 12,960	72	\$ 155	\$ 11,160	67	\$ 190	\$ 12,730	24	\$ 165	\$ 3,960	36	\$ 95	\$ 3,420	\$ 44,220

TASK DESCRIPTION		Director (DOF)		Senior Consultant (RDW)		ATC Spec.		ATC Technical		Technical (CSA)		Total	
		Hours	\$ / hr.	Hours	\$ / hr.	Hours	\$ / hr.	Hours	\$ / hr.	Hours	\$ / hr.	Hours	\$
1	Review DEIS / Review comments / Prep	6	\$ 260	6	\$ 1,560	15	\$ 210	5	\$ 160	4	\$ 105	38	\$ 7,980
2	Review PART 15D / Review comments / Prep	6	\$ 260	6	\$ 1,560	15	\$ 210	5	\$ 160	4	\$ 105	38	\$ 7,980
3	Review the flight track / plot information / contours	6	\$ 260	6	\$ 1,560	6	\$ 210	5	\$ 160	4	\$ 105	38	\$ 7,980
4	Review the aircraft type information	6	\$ 260	6	\$ 1,560	6	\$ 210	5	\$ 160	4	\$ 105	38	\$ 7,980
5	Review the aircraft noise contours	6	\$ 260	6	\$ 1,560	6	\$ 210	5	\$ 160	4	\$ 105	38	\$ 7,980
6	Review the traffic volume / forecasts	6	\$ 260	6	\$ 1,560	4	\$ 210	2	\$ 840	4	\$ 105	24	\$ 4,540
7	ATC Impacts / Mitigation / Alternatives	6	\$ 260	6	\$ 1,560	4	\$ 210	2	\$ 840	4	\$ 105	24	\$ 4,540
8	Edit / correlate information	6	\$ 260	6	\$ 1,560	6	\$ 210	4	\$ 1,260	4	\$ 105	28	\$ 5,320
9	Prepare report	6	\$ 260	6	\$ 1,560	6	\$ 210	2	\$ 1,260	4	\$ 105	28	\$ 5,320
Totals		54	\$ 260	72	\$ 1,560	67	\$ 210	24	\$ 1,260	39	\$ 105	253	\$ 48,450

Exhibit C



TO REORDER CALL 954-846-9399

TERRAMAR ENVIRONMENTAL SERVICES, INC.
1241 CRANE BOULEVARD
SUGARLOAF KEY, FLORIDA 33042
(305) 393-4200 FAX (305) 745-1192 TERRAMAR@BELLSOUTH.NET

June 27, 2007

Richard L. Richards
Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.
Attorneys at Law
Museum Tower
150 West Flagler Street, Suite 2200
Miami, Florida 33130

Dear Mr. Richards:

At the suggestion of Ms. Amy Kimball-Murley of The Four Gates Company, we are submitting this proposal for environmental consulting services for your consideration. The services include assisting your firm with an analysis of the Draft Environmental Impact Statement (DEIS) for the expansion of the Ft. Lauderdale Airport. To assist in evaluating our qualifications, we have attached the vitae of the principal scientists that will be involved with this project.

The scope of services we offer is to analyze various aspects of the natural resource aspects of the DEIS including wetland delineations, wetland impacts, mitigation proposals, impacts to wildlife including threatened and endangered species, and procedural aspects of the DEIS with respect to natural resource issues. We will review the available information including wetland reports, mitigation proposals, and pertinent agency and public correspondence. A written analysis of the environmental components of the DEIS found to be lacking in rigor or accuracy will be prepared for inclusion into your overall response to the DEIS.

While it is difficult to anticipate the amount of time needed to complete these tasks, we anticipate our review requiring the following effort:

Time Period 1 - June 20, 2007 until issuance of final EIS: This period should include analysis of part 150 study, further analysis of DEIS including models/technical analysis, review of other environmental impacts/cumulative impacts (sea-port expansion, air quality, children, affordable housing, minorities, water issues, endangered species, etc), and general monitoring of process from an FAA, environmental, and legal perspective.

We anticipate no more than 60 hours, and propose to provide our services at a rate of \$125.00 per hour not to exceed \$7,500.00.

Time Period 2 - Issuance of Final EIS until Issuance of Record of Decision: This period should include substantive review of final EIS including identification of deficiencies and technical review/analysis of final models.

We anticipate no more than 40 hours, and propose to provide our services at a rate of \$125.00 per hour not to exceed \$5,000.00.

Time Period 3 - Issuance of Record of Decision until final draft of Complaint: This period should include review of Record of Decision (ROD), final review of EIS in light of ROD for deficiencies, final analysis of all deficiencies, and drafting of a Complaint in "final" form for presentation to Town of Davie.

We anticipate no more than 40 hours, and propose to provide our services at a rate of \$125.00 per hour not to exceed \$5,000.00.

We have based the above time estimates on previous experience with complex Environmental Impact Statement reviews. This cost estimate includes in-office review of available information and email and telephone communications. This cost estimate does not include field visits, team meetings or other travel-related activities. Those services will need to be arranged under separate agreement. We intend to invoice at the

completion of each discrete time period as outlines above based on actual time spent on the project.

Thank you for the opportunity to submit a proposal for this project.

Sincerely,



Philip A. Frank
Senior Ecologist

Please sign and return if acceptable.

This Agreement is accepted on the date written below and subject to the above terms and conditions.

CLIENT: _____

SIGNED: _____

TITLE: _____

DATE: _____

Exhibit D



RECYCLED PAPER



From: "Charly Bull" <cbull@recon-us.com>
To: "Richard Richards" <RRichards@swmwas.com>
Date: 6/28/2007 8:21:45 PM
Subject: RE: FLL - DEIS

Richard

Based on your message, I am forwarding a copy of a resume for David Gottfredson. Dave is our air and NEPA specialist and would be the primary individual reviewing the air section of the EIS. I anticipate that the effort for reviewing the air quality analysis would consider the EIS and technical study looking for inconsistencies, accuracy and conformance to regulatory requirements. We do not anticipate rerunning any of the air dispersion models. As I indicated to Dennis Hughes, we anticipate that we could complete this review for \$6,000.

This would result in a detailed review letter. This review letter could be submitted in response to the public review of the EIS or could be incorporated into a letter that addressed additional topics. I assume that this is what you refer to as your first time period.

The effort needed to review the response to our comments would, of course, depend upon what we found in our review and how the FAA responds. I would anticipate that we could review their response to our comments within a reasonably short amount of time. If we were to include up to \$4,000 for this review, we could provide the services for the first two time periods for \$10,000.

I can not provide a reasonable estimate for your third time period "Record of Decision until draft complaint for lawsuit" without an understanding of what might result from the initial review and response cycle.

I hope this is sufficient for your needs. Please let me know if I need to provide any additional information or address any other environmental issues.

Thank you for your consideration.

Charly Bull
President

RECON Environmental, Inc.
1927 Fifth Avenue
San Diego, CA 92101
P 619-308-9333
F 619-308-9334

A Company of Specialists

-----Original Message-----

From: Richard Richards [mailto:RRichards@swmwas.com]
Sent: Friday, June 22, 2007 11:04 AM
To: Charly Bull
Cc: Dennis Hughes; Amy Kimball-Murley; John Herin
Subject: RE: FLL - DEIS

Charly,

Thanks for your interest. As you know, we represent the Town of Davie who has asked us to determine deficiencies in the EIS being prepared by the FAA (the Town is very concerned about airport expansion and the effect on the Town's environment). You can find information on the Broward County Airport website;

<http://www.broward.org/airport/>

including a summary of the draft EIS , the entire DEIS, and public comments (see municipalities - ours are the first comments). We need help on air quality and support for impacts to children. If you are interested, please email me your resume and suggested action items from the perspective of air quality and impacts to children with estimated (not to exceed costs) under the following time periods,

- (1) Now until issuance of final EIS.
- (2) Issuance of final EIS until Record of Decision.
- (3) Record of Decision until draft complaint for lawsuit.

My contact info appears below. Please let me know if you have any other questions. Thanks.

Regards,

Richard L. Richards
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Attorneys at Law
Museum Tower
150 West Flagler Street, Suite 2200
Miami, Florida 33130
Direct Tel: 305-789-4104
Direct Fax: 305-789-2657
Main Tel: 305-789-3200
Main Fax: 305-789-3395
email: rrichards@swmwas.com
www.swmwas.com

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CIRCULAR 230 DISCLOSURE: To ensure compliance with recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice

contained in this communication, including any attachments, is not intended or written by us to be used, and cannot be used, by anyone for the purpose of avoiding federal tax penalties that may be imposed by the federal government or for promoting, marketing or recommending to another party any tax-related matters addressed herein.

>>> "Charly Bull" <cbull@recon-us.com> 6/22/2007 12:38 PM >>>

Dennis

RECON has the ability to review the following issues:

Air quality
Fish, wildlife and plants
Wetlands
Cultural resources
Noise
and general NEPA consistency

It is my understanding that you have someone working on noise. That topic would be the most substantial review effort.

The cost would depend upon the issues we bump into along the way, but it would be reasonable to assume that any particular topic (aside from noise) could be reviewed sufficiently for between 3 and 5 days effort.

How would you like us to proceed?

Charly Bull
President

RECON Environmental, Inc.
1927 Fifth Avenue
San Diego, CA 92101
P 619-308-9333
F 619-308-9334

A Company of Specialists

From: DHughes941@aol.com [mailto:DHughes941@aol.com]
Sent: Wednesday, June 20, 2007 12:46 PM
To: Charly Bull
Subject: FLL - DEIS

Let me what areas you can work.... Thanx's Dennis

See what's free at AOL.com
<<http://www.aol.com?ncid=AOLAOF00020000000503>> .

CC: "Dennis Hughes" <DHughes941@aol.com>, "Amy Kimball-Murley"
<akm@fourgatesco.com>, "John Herin" <JHerin@swmwas.com>, "Dave Gottfredson"
<dgottfredson@recon-us.com>, "Theresa Robinson" <trobinson@recon-us.com>

David Gottfredson, E.I.T. Air Quality & Acoustical Specialist



Highlights

- ✓ Noise and air quality studies
- ✓ HGM modeling
- ✓ NEPA compliance

Experience:
13 years

Education:
B.S. Chemical Engineering,
UCSD, 1983

**Permits/Certifications/
Trainings:**
Approved County of San
Diego Air Quality and
Acoustics Consultant
USACE HGM Workshop,
ERDC, Vicksburg, MS
Engineer-in-Training (E.I.T.),
State of California, License
No. XE098720

Experience Summary

Mr. Gottfredson's experience includes serving as the project manager for NEPA and CEQA environmental documents and technical expertise in noise and air quality studies.

Mr. Gottfredson performs air quality studies that involve descriptions of ambient conditions, dispersion and emissions models, and preparation and processing of reports. He prepares emissions screening and health risk assessments and his modeling experience includes ISC, SCREEN, EMFAC, AERMOD, CALINE, and URBEMIS. Mr. Gottfredson's recent experience includes air quality studies for the Valley Way/Armstrong Road Widening and Newport Road Extension projects in Riverside County, and baseline studies for the City of Chula Vista General Plan Update.

Mr. Gottfredson is also a leading acoustician in southern California. His studies include analyzing acoustical impacts from transportation and stationary noise sources.

City of Chula Vista General Plan Update Air Quality Analysis, Chula Vista, CA

Mr. Gottfredson prepared this baseline study in support of the General Plan Update. It examines air quality in the city of Chula Vista including the physical conditions that affect the city's air quality, sources of air pollutants, and policies and planning issues that have been developed for the purpose of improving air quality.

Newport Road Extension Air Quality Studies, Riverside, CA

Mr. Gottfredson conducted air quality analyses for this roadway. The study involved the completion of dispersion modeling of emission from traffic on the road to determine effects of the project configuration of six lanes. The air quality analyses focuses on potential carbon monoxide "hot spot" impacts and includes a Clean Air Act conformity assessment in compliance with federal regulations for new transportation projects.

Valley Way/Armstrong Road Widening Air Quality Study, Riverside, CA

Mr. Gottfredson assesses potential short- and long-term local and regional air quality impacts resulting from implementation of the proposed project. The project area is located in the Moreno Valley of the county of Riverside, within the South Coast Air Basin. An analysis was conducted to determine if the increased traffic volumes could result in localized carbon monoxide concentrations

RECON

1927 Fifth Avenue
San Diego, CA 92101-2358
P 619.308.9333 F 619.308.9334
www.recon-us.com

525 W. Wetmore Rd., Suite 111
Tucson, AZ 85705
P 520.325.9977 F 520.293.3051



A Company of Specialists

September 26, 2007

Braulio Rosa
Town of Davie
6591 Orange Drive
Davie, Florida 33314-3399

Reference: **Air Quality Review of the EIS for the Expansion of Fort Lauderdale/
Hollywood International Airport** (RECON Number 07-318)

Dear Mr. Rosa:

In response to our recent phone conversation, I am enclosing RECON's billing rates for your use in issuing a letter of retention. The work that will be completed will conform to the scope provided in the July 11, 2007 letter submitted by Stearns Weaver Miller Weissler Alhadeff & Sitterson, PA. That effort will include the preparation of a detailed review letter that will address the EIS and air quality technical study looking for inconsistencies, accuracy and conformance to regulatory requirements. The estimated not to exceed cost for this work is \$6,000. It will be completed on a time and materials basis primarily by David Gottfredson (billing rate \$135/hr) and me (billing rate \$165/hr) with assistance of production staff.

If you would like us to proceed with this please issue a letter of retention. If you have any questions please call. We look forward to being of service to the Town.

Sincerely,

A handwritten signature in black ink, appearing to be "Charles Bull", with a long horizontal flourish extending to the right.

Charles Bull

President

CSB: emp

Cc: Richard Richards, Stearns Weaver
Enclosure
07-318/cover.doc

EXHIBIT A

July 1, 2007

CURRENT HOURLY RATES

EXPERT WITNESS	\$ 200.00
PRINCIPAL	\$ 165.00
SENIOR	\$ 135.00
ASSOCIATE	\$ 110.00
ANALYST	\$ 91.00
ASSISTANT	\$ 78.00
RESEARCH ASSISTANT	\$ 67.00
GIS SPECIALIST	\$ 72.00
PRODUCTION SUPERVISOR	\$ 65.00
PRODUCTION SPECIALIST III	\$ 60.00
PRODUCTION SPECIALIST II	\$ 55.00
PRODUCTION SPECIALIST I	\$ 48.00
SPECIALIST III	\$ 77.00
SPECIALIST II	\$ 67.00
SPECIALIST I	\$ 57.00
RESOURCE MONITOR	\$ 55.00
FIELD SUPERVISOR	\$ 55.00
FIELD CREW CHIEF	\$ 41.00
FIELD TECHNICIAN	\$ 29.00
SEED SPECIALIST	\$ 35.00

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